

REMARKS

Applicants have thoroughly considered the July 31, 2007 Final Office action. This Amendment B amends claims 1, 9, 23, 31, 45 and 48 to more clearly set forth the invention. In particular, amendments to claim 1 are supported by paragraphs [0040-0041] and FIG. 5 of the Application. Rather, this Amendment B places the application in better form by materially reducing or simplifying the issues for Examination and further consideration. Applicants respectfully request that favorable reconsideration of the application in light of the amendments and following remarks and the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the claims in condition for allowance.

As a preliminary matter, Applicants again request the Examiner to indicate whether the drawings submitted on July 9, 2003 have been accepted.

Applicants also acknowledge the withdrawal of rejections of claims 23-44 under 35 U.S.C. §101, and claims 1-50 under 35 U.S.C. §102(e).

REJECTION UNDER 35 U.S.C. §103

Claims 1-50 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chasen, et al. (US Patent No. 6,760,721) and Tonelli, et al. (US Patent No. 5,821,937). Applicants submit that the combined references of Chasen and Tonelli fail to disclose or suggest each and every element of the independent claims 1, 9, 23, 31, 45 and 48 as amended.

As an overview, Tonelli describes a method for updating a network design. The Tonelli method includes discovering a present network configuration, creating a network design sheet from the discovered network configuration, placing device icons representing intelligent device objects on the network design sheet, selecting a media type representing an intelligent media object, and connecting the media type to a first one of the device icons. (Tonelli, Abstract). The Office argues that teaches providing menu options to a user in response to the drag-and-drop operation at col. 7, lines 50 through col. 8, line 6. (Office action, page 3):

Once the list of devices is displayed, the user may drag a 50 device directly from the list to the design sheet or the user may generate a custom device palette by dragging devices from the list to a device palette. The user may modify an existing device palette, by loading the existing device palette and then dropping a device onto the palette. When a device 55 is dropped onto a device palette, a palette pop-up menu 107 (FIG. 10) appears, and the user selects a Replace option 109 to replace the device onto which the new device was dropped with the new device or the user selects an Insert option 113 to add the new device to the palette without 60 erasing any other devices. The user may save the modified device palette under the same device palette name by selecting a Save Device Palette option 108 from the File menu (FIG. 4) or the device palette pop-up menu (FIG. 8), or the user may save the modified device palette under a 65 different name by selecting the Save Device Palette As option 110 and typing the new device palette name into the

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dialog box that appears. Similarly, the user may generate a new device palette by selecting the New Device Palette option 109 from the File menu or the device palette pop-up menu, dragging-and-dropping devices from the device data- 5 base list onto the new device palette, and then saving the new device palette into a device palette file.

Applicants submit that the Office's reliance on the cited portion of Tonelli is misplaced because Tonelli teaches away from embodiments of the invention. The menu provided by Tonelli is merely a static and default menu that is not "providing **dynamic** options to a user for modifying or supplementing the property data of the selected media file **as a function of and depending upon the property category data.**" That is, Tonelli fails to disclose or suggest that the menu is capable of adopting to the vary menu options (e.g., New Device Palette option 109) based upon the property of the design sheet. Any new device that a user drags to the design sheet will see the same menu with the same type of options. In fact, Tonelli fails to disclose or suggest the design sheet includes property category data associated therewith.

In addition, amended claim 1 now recites, in part:

"associating the selected media file with property category data within a property category, wherein the property category data defines a different property than the

property data of the media file, **said property category data including either genre property data, artist property data, or album property data;**
in response to the associating, **determining whether the property category data is the album property data;**
if it is determined the property category data is the album property data, the selected media file is added to the property category associated with the album category data;
if it is determined the property category data is the genre category data;
 providing dynamic options to a user for modifying or supplementing the property data of the selected media file as a function of and depending upon the property category data with which the selected media file is associated;
 receiving a user response to the provided options;
 modifying or supplementing the metadata field of the selected media file to the different property defined by the property category data in response to the user response, wherein the property data of the selected media file is replaced with the genre category data if the user selects the modifying option or the property data of the selected media file is added with the genre category data if the user selects the supplementing option; and
if it is determined that the property category data is the album property data, automatically replacing the property data of the selected media file with the album property data.”

Applicants respectfully submit that amended claim 1, which is fully supported by the specification in at least paragraphs [0040-0041] and FIG. 5, recite features that are not disclosed, suggested, or even motivated by the combined references of Chasen and Tonelli.

Furthermore, as previously argued and presented, Chasen merely provides a standard and default menu for user to add, delete or modify metadata. Embodiments of the invention provide dynamic options to a user for modifying or supplementing the property data of the selected media file as a function of **and based upon** the property category data. See also paragraphs 28-30 and 35 for additional subject matter support for the above amendment and pages 18-19 of Amendment A.

The combined references of Chasen and Tonelli would provide a system or method with menu that enables adding, deleting, or modifying of metadata with hard-coded or standard default option for a user. The options do not vary as a function of and based on the category property data. Such combinations would not render embodiments of the invention obvious.

Therefore, Applicants submit that the combined references fail to disclose or suggest each and every element of claim 1. Therefore, the rejection of claim 1 and its dependent claims 2-8 under 35 U.S.C. §103(a) should be withdrawn.

Similarly, amended claims 9, 23, 31, and 45 recite similar limitation of "**dynamic** options to a user for modifying or supplementing the property data of the selected media file **as a function of and based upon the property category data.**" For at least the reasons above, Applicants submit that these claims are also patentable over the cited art because the combined references of Chasen and Tonelli fail to disclose or suggest each and every element of the claims. Therefore, the rejection of claims 9, 23, 31, and 45, and its dependent claims, under 35 U.S.C. §103(a) should be withdrawn.

Furthermore, amended claim 48 recites, in part, "providing **dynamic** options to a user for modifying or supplementing the selected property category data included in the metadata field of the media file as a function of **and based upon the different property category data.**" Applicants respectfully submit that the combined references of Chasen and Tonelli further fail to disclose the dynamic options ... "as a function of and based upon the **different property category data**". Therefore, the rejection of claim 48 and its dependent claims under 35 U.S.C. §103(a) should be withdrawn.

Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited invention. The prior art made of record fails to disclose presenting or providing options to a user for modifying or supplementing the metadata in response to the associating.

In view of the foregoing, Applicant submits that independent claims 1, 9, 23, 31, 45 and 48 are allowable over the cited art. The claims depending from these claims are believed to be allowable for at least the same reasons as the independent claims from which they depend.

It is felt that a full and complete response has been made to the Office action and, as such, places the application in condition for allowance. Such allowance is hereby respectfully requested. The fact that the Applicant may not have specifically

traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

The Applicant wishes to expedite prosecution of this application. If the Examiner deems the application as amended to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the application in condition for allowance.

The Commissioner is hereby authorized to charge any deficiency or overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

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Via EFS